

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MICHAEL WATTS,

Plaintiff,

vs

9:07-CV-773

UNITED STATES FEDERAL BUREAU OF
PRISONS; DR. DAWN MARINI; BRADLEY
R. CINK, Physician's Assistant; and E.
SWEATT, Physician's Assistant

Defendants.

APPEARANCES:

OF COUNSEL:

MICHAEL WATTS

Plaintiff, Pro se

13208-014

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HON. ANDREW T. BAXTER

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WILLIAM H. PEASE, ESQ.

Assistant U.S. Attorney

DAVID N. HURD

United States District Judge

DECISION and ORDER

Plaintiff, Michael Watts, brought this action pursuant to 28 U.S.C. § 1346(b) and 28 U.S.C. § 2671-2680, as well as under Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388, 91 S. Ct. 1999 (1971). By Report-Recommendation dated September 30, 2008, the Honorable David E. Peebles, United States Magistrate

Judge, recommended that defendants' motion which the court has treated as seeking the entry of summary judgment, be granted, and that plaintiff's complaint in this action be dismissed in its entirety. Objections to the Report-Recommendation have not been filed in spite of the fact that plaintiff requested, and was granted an extension of time to submit his objections.

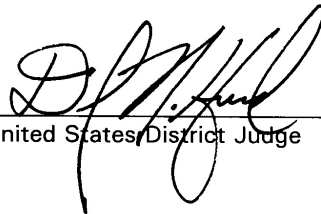
Based upon a careful review of the entire file, the Report-Recommendation is accepted. See 28 U.S.C. 636(b)(1).

Accordingly, it is

ORDERED that

1. Defendants' motion for summary judgment is GRANTED;
2. Plaintiff's complaint is DISMISSED in its entirety.
3. The Clerk is instructed to file judgment accordingly and close the file.

IT IS SO ORDERED.


United States District Judge

Dated: January 8, 2009
Utica, New York.